

NORTH DAKOTA PUBLIC SERVICE COMMISSION

)
)
)
In the Matter of the Application of Dakota)
Access LLC for a Certificate of Site)
Compatibility and Route Permit for the Dakota)
Access Pipeline Project in Mountrail, Williams,)
McKenzie, Dunn, Mercer, Morton and Emmons)
Counties, North Dakota)

Case No. PU-I 4-842

**PETITION TO INTERVENE OF
LARRY AND HOLLIS ERDMANN**

)
)
)
)
)
)
)
)
)
)
)

Pursuant to N.D.A.C. § 69-02-02-05, Larry and Hollis Erdmann, by and through their attorneys Derrick Braaten and Matt Kelly (collectively, “Petitioners”), hereby petition to intervene in the above-captioned proceedings. In support of this petition, Petitioners state and allege as follows:

1. Larry and Hollis Erdmann live at 2821 Village Green Drive, Moorhead, MN 56560. The Erdmanns received documents from Dakota Access, LLC and offers for an easement over their land for the Dakota Access Pipeline Project, and have also received repeated requests for survey permission on their property.
2. The Erdmann’s property will be crossed by the Dakota Access Pipeline Project, and they are concerned about impacts to their land. The Erdmanns have not yet been able to reach an agreement with Dakota Access regarding an easement on their property, and feel it is necessary to protect their interests by ensuring that they are represented in these

proceedings.

3. Petitioners have a direct and substantial interest in these proceedings, as well as legal property rights which may be substantially affected by the ND Public Service Commission's findings and conclusions in this matter. Petitioners are intimately familiar with the land they own and rent, and can provide the PSC with specific information related to its routing determination in this proceeding, with respect to their individual lands.
4. Petitioners are not adequately represented by existing parties, and Petitioners' intervention would not unduly broaden the issues or delay the proceedings, particularly given the early nature of the proceedings.
5. Petitioners are not necessarily in support of or opposed to the relief sought by the applicant in this proceeding, but intend to oppose such relief if it allows Dakota Access to cross the lands they own and rent in a manner that will cause unnecessary or unreasonable damage to the land and to their farming operations.

Dated this 18th day of May, 2015.

BAUMSTARK BRAATEN LAW PARTNERS

/s/ Derrick Braaten
Derrick Braaten (ND 06394)
109 North 4th St., Suite 100
Bismarck, ND 58501-4003
Tel. 701-221-2911
Fax 701-221-5842
derrick@baumstarkbraaten.com

TARLOW AND STONECIPHER, PLLC

/s/ Matt Kelly
Matt J. Kelly (TL-08000)
1705 West College Street
Bozeman, MT 59715-4913
Telephone: 406-586-9714
Fax: 406-586-9720
mkelly@lawmt.com

NORTH DAKOTA PUBLIC SERVICE COMMISSION

)
)
)
In the Matter of the Application of Dakota)
Access LLC for a Certificate of Site)
Compatibility and Route Permit for the Dakota)
Access Pipeline Project in Mountrail, Williams,)
McKenzie, Dunn, Mercer, Morton and Emmons)
Counties, North Dakota)
)
)
)
)
)
)

Case No. PU-I 4-842

**AFFIDAVIT OF LARRY AND HOLLIS
ERDMANN**

STATE OF MINNESOTA)
)ss.
COUNTY OF CLAY)

Larry and Hollis Erdmann, husband and wife, being duly sworn, state under oath as follows:

1. We live at 2821 Village Green Drive, Moorhead, MN 56560.
2. We have received documents from Dakota Access, LLC and offers for an easement over our land for the Dakota Access Pipeline Project, and have also received repeated requests for survey permission on our property.
3. Our property will be crossed by the Dakota Access Pipeline Project, and we are concerned about impacts to our land. We have not yet been able to reach an agreement with Dakota Access regarding an easement on our property, and feel it is necessary to protect our interests by ensuring that they are represented in these proceedings.

Dated this 13 day of April, 2015.

Larry Erdmann
Larry Erdmann

Dated this 13 day of April, 2015.

Hollis Erdmann
Hollis Erdmann

STATE OF MINNESOTA)
)ss.
COUNTY OF CLAY)

On this 13th day of April, 2015, before me personally appeared Larry Erdmann and Hollis Erdman, husband and wife, and known to me to be the same persons who are described in and who executed the within document, and acknowledged to me that they executed the same.

Rhonda Holzer
Notary Public

**RHONDA HOLZER
Notary Public
State of North Dakota
My Commission Expires Sept. 18, 2020**

